

Public Law 92-159

AN ACT

November 18, 1971  
[H. R. 5060]

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To amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft.

Airborne hunt-  
ing.  
Prohibition.  
70 Stat. 1119.  
16 USC 742a  
note.  
Penalty.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Fish and Wildlife Act of 1956 is amended by adding at the end thereof the following new section:

“SEC. 13. (a) Any person who—

“ (1) while airborne in an aircraft shoots or attempts to shoot for the purpose of capturing or killing any bird, fish, or other animal; or

“ (2) uses an aircraft to harass any bird, fish, or other animal; or

“ (3) knowingly participates in using an aircraft for any purpose referred to in paragraph (1) or (2);  
shall be fined not more than \$5,000 or imprisoned not more than one year, or both.

Exception.

“ (b) (1) This section shall not apply to any person if such person is employed by, or is an authorized agent of or is operating under a

license or permit of, any State or the United States to administer or protect or aid in the administration or protection of land, water, wildlife, livestock, domesticated animals, human life, or crops, and each such person so operating under a license or permit shall report to the applicable issuing authority each calendar quarter the number and type of animals so taken.

"(2) In any case in which a State, or any agency thereof, issues a permit referred to in paragraph (1) of this subsection, it shall file with the Secretary of the Interior an annual report containing such information as the Secretary shall prescribe, including but not limited to—

Report.

"(A) the name and address of each person to whom a permit was issued;

"(B) a description of the animals authorized to be taken thereunder, the number of animals authorized to be taken, and a description of the area from which the animals are authorized to be taken;

"(C) the number and type of animals taken by such person to whom a permit was issued; and

"(D) the reason for issuing the permit.

"(c) As used in this section, the term 'aircraft' means any contrivance used for flight in the air."

"Aircraft."

SEC. 2. (a) Section 609 of the Federal Aviation Act of 1958 (49 U.S.C. 1429) is amended by inserting "(a)" immediately after "SEC. 609." and by adding at the end thereof the following new subsection:

Airman certificate, suspension.  
72 Stat. 779.

#### "VIOLATION OF CERTAIN LAWS

"(b) The Administrator, in his discretion, may issue an order amending, modifying, suspending, or revoking any airman certificate upon conviction of the holder of such certificate of any violation of subsection (a) of section 13 of the Fish and Wildlife Act of 1956, regarding the use or operation of an aircraft."

Ante, p. 480.

(b) (1) Immediately after the section heading of such section 609, insert the following:

#### "PROCEDURE"

(2) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the side heading

"Sec. 609. Amendment, suspension, and revocation of certification."

is amended by adding the following:

"(a) Procedure.

"(b) Violation of certain laws."

SEC. 3. The amendments made by the first section of this Act shall take effect as of the thirtieth day after the date of enactment of such section; except that, in any case in which a State is not authorized to issue any permit referred to in the amendments made by such first section, such amendments shall take effect in any such State as of the thirtieth day after the expiration of the next regular session of the legislature of such State which begins on or after the date of enactment of this Act.

Effective dates.

Approved November 18, 1971.